

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

DUSTIN J. TRIMM,
Petitioner,

vs.

CASE NUMBER: 9:14-CV-00905 TJM-DEP

MICHAEL SHEAHAN,
Respondent.

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: Pursuant to the Decision and Order of the Honorable Thomas J. McAvoy, Senior United States District Court Judge, dated the 23rd day of July, 2014, this action is **DISMISSED WITHOUT PREJUDICE** for failure to exhaust available state court remedies; and it is further **ORDERED**, that no certificate of appealability shall issue because petitioner has failed to make a "substantial showing of the denial of a constitutional right" pursuant to 28 U.S.C. § 2253(c)(2).

DATED: JULY 23, 2014


Clerk of Court

ENTERED 7/23/2014
BY PTM

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P.T. McBrearty
Deputy Clerk